

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No:	2024/44/92925/W
Site Address:	Adj, 176, Almondbury Bank, Almondbury, Huddersfield, HD5 8EX
Description:	Discharge details reserved by condition 7 (desk top study) on permission 2023/93487 for erection of dwelling
Recommending Officer:	Joshua Merriman

DECISION – Discharge of Condition 7 - Approved

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 29-Oct-2024

DISCHARGE OF CONDITIONS

Reference No. 2024/44/92925/W

Site Address: Adj, 176, Almondbury Bank, Almondbury, Huddersfield, HD5 8EX.

Proposal: Discharge details reserved by condition 7 (desk top study) on permission 2023/93487 for erection of dwelling

Condition 7 (Desk Top Study)

7) Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person, has been first submitted to and approved in writing by the Local Planning Authority.

Assessment of Condition 7

The following has been submitted:

- Application Form
- Supporting Statement
- Phase I Desk Study Report for Land Adjacent 176 Almondbury Bank, Huddersfield

The details provided offer an appraisal of the site history and surrounding land uses dating back to the 1800's, along with a comprehensive assessment of the environmental setting. It highlights the presence of potentially contaminative uses on the site and adjacent lands, identifying several potential sources of contamination, including made ground beneath the site and ground gases from an offsite landfill.

KC Environmental Health have been formally consulted on the application and provided the following response:

Condition 7 – Preliminary Risk Assessment Report

A Phase 1 Desk Study Report authored by Demeter Environmental Ltd, dated March 2024 (ref: 23-10-02 Revision 1) has been received in support of the application to discharge Condition 7. The report includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspect of the report.

The Phase I report offers an appraisal of the site history and surrounding land uses dating back to the 1800s, along with a comprehensive assessment of the environmental setting. It highlights the presence of potentially contaminative uses on the site and adjacent lands. Demeter Environmental identifies several potential sources of contamination, including made ground beneath the site and ground gases from an offsite landfill. As a result, Section 8 of the report recommends conducting an intrusive investigation, which includes

ground gas monitoring, soil sampling at a minimum of three locations, and chemical analysis of the collected samples.

We accept the report and recommend that Condition 7 is discharged.

Recommendations

Condition 7 – Preliminary Risk Assessment Report

We accept the Phase 1 Desk Study Report authored by Demeter Environmental Ltd, dated March 2024 (ref: 23-10-02 Revision 1) and recommend that Condition 7 is discharged.

It is therefore concluded that the scheme submitted for the Discharge of Condition 7 is acceptable, in accordance with policy LP53 of the Kirklees Local Plan.

DECISION LETTER TEXT

Condition 7:

The following has been submitted: -

- Application Form
- Supporting Statement
- Phase I Desk Study Report for Land Adjacent 176 Almondbury Bank, Huddersfield

It is considered that the evidence submitted is sufficient to discharge Condition 7.